

**Virginia: At a meeting of the Accomack County Wetlands Board, held in the Chambers of the Board of Supervisors on the 26<sup>th</sup> day of March, 2015, A.D.**

**Members present:**

Mr. Earl B. Frederick, Chairman  
Mr. George H. Ward, Jr., Vice Chairman  
Mr. Gene Wayne Taylor  
Mr. T. Lee Byrd  
Mr. Timothy Getek

**Staff present:**

Ms. Gracie A. Milbourne, Acting Secretary to the Wetlands Board and Recording Secretary

**Others present:**

Mr. Hank Badger, VMRC  
Mr. Stephen Decker, USACE

**The meeting was called to order by Chairman Earl B. Frederick, and opened to a public hearing at 10 a.m. and turned over to Ms. Milbourne, pro-tem chairperson for election of officers for 2015.**

**1). ELECTION OF OFFICERS:**

Ms. Milbourne opened nominations for Chairman for Year 2015. Mr. Taylor made a motion to nominate Mr. Frederick as Chairman. Mr. Ward seconded the motion.

Ayes: Mr. Taylor, Mr. Ward, Mr. Byrd, and Mr. Getek.

Ms. Milbourne turned the meeting over to Mr. Frederick who called for nominations for Vice Chairman. Mr. Taylor made a motion to nominate Mr. Ward as Vice Chairman. Mr. Byrd seconded the motion. Ayes: Mr. Frederick, Mr. Taylor, Mr. Byrd, and Mr. Getek.

**At this time, the meeting was opened to a public hearing. All applications are approved for a one-year period from the date of this hearing, unless specifically**

**noted. All applicants, speakers and representatives are sworn in before the Board on the following wetlands applications:**

**This Board is aware of and complies as closely as possible with the objectives of the Virginia Marine Resource Commission's Wetlands Policy of No Net Loss.**

1). **MINUTES**

Mr. Taylor made a motion to approve the minutes of the December 18, 2014 meeting as circulated. Mr. Getek seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Taylor, Mr. Getek, and Mr. Byrd.

2). **NEW BUSINESS**

**1). An application from Denise McAdams, VMRC# 2015-0161, for the installation of rip rap along an eroding shoreline due to Hurricane Sandy, at 23295 Guard Shore Road, Bridge Gut/Old Cove, near Bloxom Virginia.**

**TM# 52-A-3**

Mr. Bob Baugh and Ms. Denise McAdams appeared before the Board to represent this application. They described the condition of the shoreline after Storm Sandy and asked for permission to install 160-foot of rip rap for shoreline stabilization.

Mr. Frederick read the VIMS report that preferred grading and a vegetative approach for shoreline stabilization at this site. Discussion commenced among the board members about why the vegetative approach at this location would not work and how this application would only be an extension of the Wetlands Board approval from 2013.

After a brief discussion, Mr. Taylor made a motion to approve this application as presented. Mr. Getek seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Taylor, Mr. Getek, and Mr. Byrd.

**2). An application from Chincoteague Landmark LLC, VMRC# 2015-0003, for the installation of a community pier, new bulkheading and backfill, replacement bulkheading, an open-pile wharf and a 6-slip pier and associated pier on North Main Street, Chincoteague Channel, Chincoteague, Virginia. TM# 30A5-A-94A, 95, 96, 96A, 103 & 104**

Mr. Chris McCabe of Coastal Compliance Solutions appeared before the Board to represent this application and distributed an aerial of the property. He gave a brief history of the previous authorization given in 2005 to construct townhouses on this site that has expired. Mr. McCabe explained how the town had required the old dilapidated restaurant built on pilings to be removed; how the owners intend to install new bulkheading in-kind rather than 2-foot channelward; how the manmade canal is proposed to be filled; and mentioned that the old boat will be removed.

Mr. William Neville, Planning Director for the Town of Chincoteague appeared before the board and commented that Mayor Jack Tarr is in support of this application for economic reasons but did not have any drainage information at this time.

Mr. Harry Deitch, the adjacent property owner to the north at 4269 Main Street, appeared before the board and explained that the property line issue had

been resolved and offered suggestions with remedying any drainage problems and favored the removal of the boat.

Mr. Jim White appeared before the board and spoke and also sent a letter in support of this project. He described the old boat to be an eyesore and asked that the mitigation from its removal be sent to the Town of Chincoteague.

Mr. Stephen Decker of the Army Corps of Engineers appeared before the Board and indicated that he had been to the Chincoteague Landmark site and found it to be a lot of uplands. He discussed how the Corps is interested in preserving the natural habitat and suggested in-kind replacement with fees.

Mr. McCabe stated that the owners are open to suggestions for this project and aware that mitigation that may be placed. He continued to discuss the flushing environment once the boat is removed.

Mr. George (Hank) Badger of VMRC appeared before the Board and indicated that the removal of the boat cannot be used as mitigation. He also explained that before mitigation is discussed, evaluation must be done to see if the project can stand on its own merit.

At this time, Mr. Frederick read the VIMS report submitted by Mr. Badger that indicated that filling of wetlands is not consistent with policy.

Mr. McCabe asked that this application be continued until the next meeting to allow him time to go back to the engineers and seek a revised layout that will minimize the impacts and to reconsider the fill area under the crab house.

After a lengthy discussion, Mr. Taylor made a motion to continue this application until the next meeting. Mr. Getek seconded the motion. Ayes: Mr.

Frederick, Mr. Ward, Mr. Taylor, Mr. Getek, and Mr. Byrd.

3). **OTHER BUSINESS:**

Mr. Chris McCabe asked that he be allowed to give updates on the marsh creation and sills at Lots 781-785 and Lots 1006 and 1009 in Captain's Cove Subdivision, Greenbackville, Virginia, at another meeting. The board accepted his request.

**ADJOURNMENT:**

Mr. Byrd made a motion to adjourn at 11:28 a.m. Mr. Getek seconded the motion. Ayes: Mr. Frederick, Mr. Ward, Mr. Byrd, Mr. Getek, and Mr. Taylor.

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Earl B. Frederick, Chairman